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9
10 **UNITED STATES BANKRUPTCY COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 **In re:**

14 **PG&E CORPORATION**

15 -and-

16 **PACIFIC GAS AND ELECTRIC**
17 **COMPANY,**

18 **Debtors.**

19 ☐ Affects PG&E Corporation

20 ☐ Affects Pacific Gas and Electric Company

21 ☒ Affects both Debtors

22 **All papers shall be filed in the Lead Case,*
23 *No. 19-30088 (DM)*

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

**MOTION TO ALLOW/DEEM TIMELY
LATE FILING OF PROOF OF CLAIM
BY DANIEL KOSTA, INDIVIDUALLY AND
AS GUARDIAN AD LITEM FOR HIS
MINOR CHILDREN M.M.K., S.K., AND
M.K., MEMORANDUM OF POINTS AND
AUTHORITIES; DECLARATION OF
BRENDAN M. KUNKLE**

Date: October 13, 2020

Time: 10:00 a.m.

Place: (Telephonic/Video Appearances Only)

Judge: Hon. Dennis Montali

Objection Deadline: October 6, 2020

24 TO THE HONORABLE DENNIS MONTALI, UNITED STATES BANKRUPTCY COURT
25 JUDGE, THE OFFICE OF THE UNITED STATES TRUSTEE, AND ALL INTERESTED
26 PARTIES:

27 Abbey, Weitzenberg, Warren & Emery ("Abbey Law"), together with several other firms,
28 represent thousands of victims of the Fires started by PG&E in 2017 (generally referred to as the
"North Bay Fires") and 2018 ("Camp Fire").

Abbey Law respectfully files this motion ("Motion") on behalf of Daniel Kosta and his minor children, "M.M.K", "S.K." and "M.K." ("Movants") to deem timely the late filing of proofs of claim ("Subject Proofs of Claim").

I. SUMMARY OF ARGUMENT

A proof of claim may be deemed timely upon a showing of excusable neglect and lack of prejudice. In this case, due to misunderstandings about attorney retention, Movants were unable to timely file proof of claim forms. Because there is no danger of prejudice to the Debtors as Debtors' estates are solvent, and all creditors stand to be paid, the Motion should be granted to allow Movants to have Subject Proofs of Claim deemed timely. This Court must determine whether to grant the Motion.

II. FACTUAL BACKGROUND

A. Movants' Claims Arising From North Bay Fires

Movants are Daniel Kosta and Mr. Kosta's minor children, "M.M.K", "S.K." and "M.K." The Kostas lived at 1077 Quietwater Ridge Road, Santa Rosa, CA 95404. The property, with 12.3 acres, was destroyed by the 2017 North Bay Fires. Movants' property sustained damage to various species of trees, vegetation, animals, a 5,200 square foot residence, and pool area. Movant Daniel Kosta also suffered a loss of income as a result.

On December 9, 2019, Movant Daniel Kosta contacted counsel at the Abbey Law Firm to inquire about the claims process. Abbey Law conducted an intake over the phone with Movant Daniel Kosta on that same day. Upon completion of the intake call, Abbey Law's paralegal emailed a fee agreement to Movants and advised that the fee agreement and other documents needed to be completed by Movants and returned to Abbey Law in order to file the Subject Proof of Claims for Movants. Movants confirmed receipt of the email and advised Abbey Law's paralegal that the completed documents would be sent. Movant Mr. Kosta believed he had signed and sent the completed documents. However, he realized later that he had not sent the completed documents. As such, no fee agreement was actually sent to Abbey Law until after the Claims Bar

1 Date. As a result, no proof of claim forms were filed on behalf of Movants before the Claims Bar
2 Date on December 31, 2019.

3 On February 19, 2020, Movant Mr. Kosta realized that he had not sent the completed
4 documents and sent them to Abbey Law.

5 On February 20, 2020, Abbey Law filed a claim, claim number 96995 (“Subject Proof of
6 Claim”), on behalf of Movant Daniel Kosta. A true and correct copy of the Subject Proof of
7 Claim is attached hereto as **Exhibit A**.

8 On February 20, 2020, Abbey Law filed a claim, claim number 97000 (“Subject Proof of
9 Claim”), on behalf of Movant “M.M.K”. A true and correct copy of the Subject Proof of Claim is
10 attached hereto as **Exhibit B**.

11 On February 20, 2020, Abbey Law filed a claim, claim number 96996 (“Subject Proof of
12 Claim”), on behalf of Movant “S.K”. A true and correct copy of the Subject Proof of Claim is
13 attached hereto as **Exhibit C**.

14 On February 20, 2020, Abbey Law filed a claim, claim number 96992 (“Subject Proof of
15 Claim”), on behalf of Movant “M.K”. A true and correct copy of the Subject Proof of Claim is
16 attached hereto as **Exhibit D**.

17 **B. General Procedural Background**

18 On January 29, 2019, PG&E Corporation and Pacific Gas and Electric Company
19 (“Debtors” or “PG&E”) commenced with the Court voluntary cases (“Chapter 11 Cases”) under
20 Chapter 11 of the United States Code (“Bankruptcy Code”). PG&E’s Chapter 11 filings were
21 necessitated by a confluence of factors resulting from catastrophic fires that occurred in Northern
22 California prior to the Petition Date, and PG&E’s potential liabilities arising therefrom.

23 Since, the Debtors continue to operate their businesses and manage their properties as
24 debtors in possession pursuant to 11 U.S.C. §§ 1107(a) & 1108, the Debtors’ Chapter 11 Cases are
25 being jointly administered for procedural purposes only pursuant to Rule 1015(b) of the Federal
26 Rules of Bankruptcy Procedure (“FRBP”).

27 **C. Plan, Disclosure Statement, and the Solicitation Procedures Motion**

28

1 On January 31, 2020, as Dk. No. 5590, the Debtors filed an Amended Chapter 11 Plan
2 Debtors' and Shareholder Proponents' Joint Chapter 11 Plan of Reorganization Dated January 31,
3 2020.

4 On February 7, 2020, as Dk. No. 5700, the Debtors filed a Disclosure Statement for the
5 Amended Plan.

6 On February 19, 2020, as Dk. No. 5835, the Debtors filed Motion for Entry of an Order (I)
7 Approving Form and Manner of Notice of Hearing on Proposed Disclosure Statement; (II)
8 Establishing and Approving Plan Solicitation and Voting Procedures; (III) Approving Forms of
9 Ballots, Solicitation Packages, and Related Notices; and (IV) Granting Related Relief (the
10 "Solicitation Procedures Motion").

11 On March 16, 2020, as Dk. No. 6320, the Debtors filed the Amended Chapter 11 Plan
12 Debtors' and Shareholder Proponents' Joint Chapter 11 Plan of Reorganization Dated March 16,
13 2020.

14 On March 17, 2020, the Solicitations Procedures Motion was approved and the
15 Disclosure Statement and Plan circulated for votes.

16 The Debtors Amended Chapter 11 Plan Debtors' and Shareholder Proponents' Joint
17 Chapter 11 Plan of Reorganization Dated March 16, 2020 [Docket No. 6320] was amended on
18 May 22, 2020 [Docket No. 7521], and on June 19, 2020 [Docket No. 8048].

19 On June 20, 2020, an order was issued confirming Debtors' and Shareholder Proponents'
20 Joint Chapter 11 Plan of Reorganization Dated June 19, 2020 [Docket No. 8053].

21 **D. Extended Bar Date for Fire Victim Creditors**

22 The deadline for filing proofs of claim with respect to any prepetition claim including, but
23 not limited to, all claims of Fire Claimants, Wildfire Subrogation Claimants, Governmental Units
24 and Customers, and for the avoidance of doubt, including all secured claims and priority claims,
25 against either of the Debtors was October 21, 2019 at 5:00 p.m. ("General Bar Date"). The
26 deadline for filing claims was extended to December 31, 2019 ("Extended Bar Date"), solely for
27
28

1 the benefit of any non-governmental Fire Claimants who did not filed Proofs of Claim by the
2 General Bar Date.

3 **III. LEGAL ARGUMENT**

4 In a Chapter 11 case, the time to file a proof of claim may be extended under certain
5 circumstances. Fed. R. Bank. Pro. 3003(c)(3); Fed. R. Bank. Pro. 9006(b)(1). The bankruptcy
6 court has “broad equitable powers” in a Chapter 11 case with respect to the timing requirement for
7 proofs of claim. *Pioneer Inventory Services v. Brunswick Associates Limited Partnership*, 507
8 U.S. 380, 389 (1993). All in all, Rule 9006(b)(1) allows “late filings caused by inadvertence,
9 mistake, or carelessness, not just those caused by intervening circumstances beyond the party's
10 control.” *Id.*, at 381. Even a creditor that did in fact receive notice may file a proof of claim
11 notwithstanding the expiration of a claims bar date in a Chapter 11 case upon a showing of
12 “excusable neglect.” *Id.* At 394-95 (“Had respondents here been prevented from complying with
13 the bar date by an act of God or some other circumstance beyond their control, the Bankruptcy
14 Court plainly would have been permitted to find ‘excusable neglect’ [under FRBP 9006].”).

15 In considering whether a creditor’s failure was the product of “excusable neglect,” the
16 court should take “account of all relevant circumstances surrounding the party’s omission,”
17 including “the danger of prejudice to the debtor, the length of the delay and its potential impact on
18 judicial proceedings, the reason for the delay, including whether it was within the reasonable
19 control of the movant, and whether the movant acted in good faith.” *Id.* at 395; *see also Corning v.*
20 *Corning (In re Zilog, Inc.)*, 450 F.3d 996 (9th Cir. 2006) (noting *Pioneer*’s non-exhaustive list of
21 relevant factors). Again, a late-filed proof of claim is allowable where a creditor had actual notice
22 of the bankruptcy but, due to some external reason, failed to file a proof of claim or did not realize
23 that she had to, before the bar date. *See, e.g., ZiLOG, Inc. v. Corning (In re ZiLOG, Inc.)*, 450 F.3d
24 996, 1003-07 (9th Cir. 2006) (applying the *Pioneer* factors).

25 Here, consideration of all four *Pioneer* factors—as well as a fifth engrafted onto the
26 *Pioneer* analysis by some courts—weighs in favor of allowing Movants to file a late proof of
27 claim.

1 The first *Pioneer* factor weighs overwhelmingly in Movants' favor because there is no
2 danger of prejudice to the Debtors in this case. Debtors' estates are solvent, and all creditors stand
3 to be paid. *See, e.g., In re Best Payphones, Inc.*, 523 B.R. 54, 75-6 (Bankr. S.D.N.Y. 2015) and *In*
4 *re Sheehan Mem'l Hosp.*, 507 B.R. 802, 803 (Bankr. W.D.N.Y. 2014) (where the chapter 11 estate
5 is solvent, "the proper remedy for a late filing is not the expungement of a claim, but its allowance
6 as a tardily filed claim only.).

7 The second *Pioneer* factor is also satisfied by Movants because the length of the delay in
8 filing a Proof of Claim forms was minimal and will not impact the bankruptcy proceeding.
9 Movants filed the Subject Proofs of Claim on February 20, 2020, immediately after realizing they
10 had not sent completed retention documents to counsel. Movants filed the Subject Proofs of
11 Claim less than two months after the Claim Bar Date. Permitting Movants to file a late claim will
12 have no effect on the bankruptcy given its current status.

13 The third and fourth *Pioneer* factors, the reasonableness in the delayed filing and whether
14 the Movants acted in good faith, are also met. Movants contacted the Abbey Firm on December 9,
15 2019, prior to the filing deadline, to inquire about the claims process. Movants sought attorney
16 representation once they learned they had a claim. However, finalizing legal representation was
17 delayed less than two months because of an honest mistake by Movant Daniel Kosta, having
18 believed he had returned the signed fee agreement on behalf of himself and his minor children. As
19 soon as he realized his mistake, Movant Daniel Kosta sent a signed fee agreement and Abbey Law
20 immediately filed a Proof of Claim. Movants' delay was therefore the result of reasonable and
21 excusable neglect.

22 Lastly, any prospect of prejudice beyond solvency is unlikely given (a) distributions have
23 not been made; and (b) the value of Movants' claims relative to the value of Debtors' estates is
24 low. *See, e.g., In re Keene Corp.*, 188 B.R. 903, 910 (Bankr. S.D.N.Y. 1995) (size of the late claim
25 in relation to the estate is a consideration in determining prejudice).

26 IV. CONCLUSION

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1 For the reasons set forth above, Movants respectfully request that this Court enter an order
2 pursuant to Bankruptcy Rule 9006(b)(1) as follows:

- 3 1. Granting the Motion;
- 4 2. Finding that Subject Proofs of Claim filed by Movants is to be allowed as having
5 been timely filed;
- 6 3. Granting such other or further relief as the Court deems just and proper.

7
8 DATED: August 31, 2020

ABBEY, WEITZENBERG, WARREN & EMERY PC

9
10 By: /s/ Brendan M. Kunkle
11 BRENDAN M. KUNKLE (SBN 173292)
12 **ABBEY, WEITZENBERG, WARREN &**
13 **EMERY PC**
14 100 Stony Point Road, Suite 200
Santa Rosa, CA 95401
Telephone: 707-542-5050
Facsimile: 707-542-2589
bkunkle@abbeylaw.com

15 *Attorneys for Numerous Fire Claimants*
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DECLARATION OF BRENDAN M. KUNKLE

I, BRENDAN M. KUNKLE, say and declare as follows:

1. I am an individual over 18 years of age and competent to make this Declaration.

2. If called upon to do so, I could and would competently testify as to the facts set forth in this Declaration.

3. I am an attorney at law duly admitted to practice before this Court and courts of the State of California.

4. I am an attorney with the law firm of Abbey, Weitzenberg, Warren & Emery, attorneys of record for hundreds of victims of the fires started by PG&E in 2017 (the numerous fires generally referred to as the "North Bay"), and 2018 ("Camp Fire").

5. I make this Declaration in support of the motion to allow late filing of proofs of claim ("Motion") on behalf of on behalf of Daniel Kosta and his minor children, "M.M.K", "S.K." and "M.K." ("Movants"). Movants are represented by Abbey, Weitzenberg, Warren & Emery.

6. Movants did not have a claim filed before the December 31, 2019 claims bar date due to unavoidable and excusable delay and should be allowed to file proofs of claim after the bar date.

7. Movants' property at 1077 Quietwater Ridge Road, Santa Rosa, CA 95404 was destroyed by the 2017 North Bay Fires. The property was 12.3 acres. Movants' property sustained damage to various species of trees, vegetation, animals, a 5,200 square foot residence, and pool area. Movant Daniel Kosta also suffered a loss of income as a result.

8. On December 9, 2019, Movant Daniel Kosta contacted counsel at the Abbey Law Firm to inquire about the claims process. Abbey Law conducted an intake over the phone with Movant Daniel Kosta on that same day. Upon completion of the intake call, Abbey Law's paralegal emailed a fee agreement to Movants and advised that the fee agreement and other documents needed to be completed by Movants and returned to Abbey Law in order to file the Subject Proof of Claims for Movants. Movants confirmed receipt of the email and advised Abbey Law's paralegal that the completed documents would be sent. Movant Mr. Kosta believed he had

1 signed and sent the completed documents. However, he realized later that he did not send the
2 completed documents. As such, no fee agreement was actually sent to Abbey Law until after the
3 Claims Bar Date. As a result, no proof of claim forms were filed on behalf of Movants before the
4 Claims Bar Date on December 31, 2019.

5 9. On February 19, 2020, Movants realized their mistake and successfully submitted a
6 signed fee agreement to Abbey Law.

7 10. On February 20, 2020, Abbey Law filed a claim, claim number 96995 (“Subject
8 Proof of Claim”), on behalf of Movant Daniel Kosta. A true and correct copy of the Subject Proof
9 of Claim is attached hereto as **Exhibit A**.

10 11. On February 20, 2020, Abbey Law filed a claim, claim number 97000 (“Subject
11 Proof of Claim”), on behalf of Movant “M.M.K”. A true and correct copy of the Subject Proof of
12 Claim is attached hereto as **Exhibit B**.

13 12. On February 20, 2020, Abbey Law filed a claim, claim number 96996 (“Subject
14 Proof of Claim”), on behalf of Movant “S.K”. A true and correct copy of the Subject Proof of
15 Claim is attached hereto as **Exhibit C**.

16 13. On February 20, 2020, Abbey Law filed a claim, claim number 96992 (“Subject
17 Proof of Claim”), on behalf of Movant “M.K”. A true and correct copy of the Subject Proof of
18 Claim is attached hereto as **Exhibit D**.

19
20 I declare under penalty of perjury under the laws of the State of California that the forgoing
21 is true and correct and executed this 31st day of August 2020.

22
23 /s/ Brendan M. Kunkle
24 BRENDAN M. KUNKLE
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EXHIBIT A

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

In re:
PG&E CORPORATION,
- and -
PACIFIC GAS AND ELECTRIC
COMPANY,
Debtors.

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

Proof of Claim (Fire Claim Related)

Read the instructions before filing this claim form. This form is for tort claimants who have a claim against the Debtors (i.e. PG&E Corporation and Pacific Gas and Electric Company) that arose prior to the Debtors filing for bankruptcy (i.e. prior to January 29, 2019) and that arose from, or relates to, a fire.

Do not use this form for non-fire claims. Non-fire tort claimants should use Form 410.

Do NOT file a fraudulent claim. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Please type or print in the spaces below. Do NOT use red ink or pencil.

Part 1: Identify the Claim

1. Who is the current creditor?	Kosta, Dan Name of the current creditor (the person or entity to be paid for this claim)	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Are you filing this claim on behalf of your family? A family is a group of two or more people related by birth, marriage, domestic partnership, or adoption and residing together. All such people are considered as members of one family.	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If you checked "Yes", please provide the full name of each family member that you are filing on behalf of: _____ _____ _____ _____	
4. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? Name <u>Kosta, Dan</u> Attorney Name (if applicable) <u>Kunkle, Brendan</u> Attorney Bar Number (if applicable) <u>173292</u> Street Address <u>100 Stony Point Road, Suite 200</u> City <u>Santa Rosa</u> State <u>California</u> Zip Code <u>95401</u> Phone Number <u>707-542-5050</u> Email Address <u>BKunkle@abbeylaw.com</u>	Where should payments to the creditor be sent? (if different) Name _____ Attorney Name (if applicable) _____ Attorney Bar Number (if applicable) _____ Street Address _____ City _____ State _____ Zip Code _____ Phone Number _____ Email Address _____
5. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY	
6. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date this Claim Form is Filed

7. What fire is the basis of your claim? Check all that apply.	<input type="checkbox"/> Camp Fire (2018) <input checked="" type="checkbox"/> North Bay Fires (2017) <input type="checkbox"/> Ghost Ship Fire (2016) <input type="checkbox"/> Butte Fire (2015) <input type="checkbox"/> Other (please provide date and brief description of fire: _____)
8. What are the loss location(s) where you and/or your family suffered harm? (e.g. home or business address, place of injury, place from which you were evacuated, if different.)	Location(s): 1077 Quietwater Ridge Road, Santa Rosa 95404
9. How were you and/or your family harmed? Check all that apply	<input checked="" type="checkbox"/> Property Damage (homes, structures, personal property, land, trees, landscaping, and all other property damage) <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Renter <input type="checkbox"/> Occupant <input type="checkbox"/> Other (Please specify): _____ <input checked="" type="checkbox"/> Personal Injury <input type="checkbox"/> Wrongful Death (if checked, please provide the name of the deceased) _____ <input type="checkbox"/> Business Loss/Interruption <input checked="" type="checkbox"/> Lost wages and earning capacity <input checked="" type="checkbox"/> Loss of community and essential services <input type="checkbox"/> Agricultural loss <input type="checkbox"/> Other (Please specify): _____
10. What damages are you and/or your family claiming/seeking? Check all that apply	<input checked="" type="checkbox"/> Economic damages (including replacement cost of damaged property, diminution in value, loss of use, lost inventory, lost profits, and other economic damage) <input checked="" type="checkbox"/> Non-economic damages (including loss of society and support, loss of consortium, pain and suffering, emotional distress, annoyance and discomfort, and other non-economic damage) <input checked="" type="checkbox"/> Punitive, exemplary, and statutory damages <input checked="" type="checkbox"/> Attorney's fees and litigation costs <input checked="" type="checkbox"/> Interest <input checked="" type="checkbox"/> Any and all other damages recoverable under California law <input checked="" type="checkbox"/> Other (Please specify): _____
11. How much is the claim?	<input type="checkbox"/> \$ _____ (optional) <input checked="" type="checkbox"/> Unknown / To be determined at a later date

Part 3: Sign Below

The person completing this proof of claim must sign and date it, FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- ☐ I am the creditor.
☒ I am the creditor's attorney or authorized agent.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Signature: Brendan M. Kunkle
Brendan M. Kunkle (Feb 20, 2020)

Email: AProulx@abbeylaw.com

Signature

Print the name of the person who is completing and signing this claim:

Name	Brendan	M	Kunkle
	First name	Middle name	Last name
Title	Partner		
Company	Abbey, Weitzenberg, Warren & Emery PC		
	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	100 Stony Point Road, Suite 200		
	Number	Street	
	Santa Rosa	CA	95401
	City	State	ZIP Code
Contact phone	7075425050	Email	BKunkle@abbeylaw.com

Attach Supporting Documentation (limited to a single PDF attachment that is less than 5 megabytes in size and under 100 pages):

☐ I have supporting documentation.
(attach below)

☒ I do not have supporting documentation.

PLEASE REVIEW YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTS AND REDACT ACCORDINGLY PRIOR TO UPLOADING THEM. PROOFS OF CLAIM AND ATTACHMENTS ARE PUBLIC DOCUMENTS THAT WILL BE AVAILABLE FOR ANYONE TO VIEW ONLINE.

IMPORTANT NOTE REGARDING REDACTING YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTATION When you submit a proof of claim and any supporting documentation you must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. The responsibility for redacting personal data identifiers (as defined in Federal Rule of Bankruptcy Procedure 9037) rests solely with the party submitting the documentation and their counsel. Prime Clerk and the Clerk of the Court will not review any document for redaction or compliance with this Rule and you hereby release and agree to hold harmless Prime Clerk and the Clerk of the Court from the disclosure of any personal data identifiers included in your submission. In the event Prime Clerk or the Clerk of the Court discover that personal identifier data or information concerning a minor individual has been included in a pleading, Prime Clerk and the Clerk of the Court are authorized, in their sole discretion, to redact all such information from the text of the filing and make an entry indicating the correction.

EXHIBIT B

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

In re:
PG&E CORPORATION,
- and -
PACIFIC GAS AND ELECTRIC
COMPANY,
Debtors.

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

Proof of Claim (Fire Claim Related)

Read the instructions before filing this claim form. This form is for tort claimants who have a claim against the Debtors (i.e. PG&E Corporation and Pacific Gas and Electric Company) that arose prior to the Debtors filing for bankruptcy (i.e. prior to January 29, 2019) and that arose from, or relates to, a fire.

Do not use this form for non-fire claims. Non-fire tort claimants should use Form 410.

Do NOT file a fraudulent claim. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Please type or print in the spaces below. Do NOT use red ink or pencil.

Part 1: Identify the Claim

1. Who is the current creditor?	M.M.K. (Dan Kosta, Parent) Name of the current creditor (the person or entity to be paid for this claim)	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Are you filing this claim on behalf of your family? A family is a group of two or more people related by birth, marriage, domestic partnership, or adoption and residing together. All such people are considered as members of one family.	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If you checked "Yes", please provide the full name of each family member that you are filing on behalf of: _____ _____ _____ _____	
4. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? Name M.M.K. (Dan Kosta, Parent) Attorney Name (if applicable) Kunkle, Brendan Attorney Bar Number (if applicable) 173292 Street Address 100 Stony Point Road, Suite 200 City Santa Rosa State California Zip Code 95401 Phone Number 7075425050 Email Address BKunkle@abbeylaw.com	Where should payments to the creditor be sent? (if different) Name _____ Attorney Name (if applicable) _____ Attorney Bar Number (if applicable) _____ Street Address _____ City _____ State _____ Zip Code _____ Phone Number _____ Email Address _____
5. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on ____ / ____ / ____	
6. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date this Claim Form is Filed

7. What fire is the basis of your claim?

Check all that apply.

- ☐ Camp Fire (2018)
☒ North Bay Fires (2017)
☐ Ghost Ship Fire (2016)
☐ Butte Fire (2015)
☐ Other (please provide date and brief description of fire: _____)

8. What are the loss location(s) where you and/or your family suffered harm? (e.g. home or business address, place of injury, place from which you were evacuated, if different.)

Location(s): 1077 Quietwater Ridge Road, Santa Rosa 95404

9. How were you and/or your family harmed?

Check all that apply

- ☒ Property Damage (homes, structures, personal property, land, trees, landscaping, and all other property damage)
☐ Owner ☐ Renter ☒ Occupant ☐ Other (Please specify): _____
☒ Personal Injury
☐ Wrongful Death (if checked, please provide the name of the deceased) _____
☐ Business Loss/Interruption
☐ Lost wages and earning capacity
☒ Loss of community and essential services
☐ Agricultural loss
☐ Other (Please specify): _____

10. What damages are you and/or your family claiming/seeking?

Check all that apply

- ☒ Economic damages (including replacement cost of damaged property, diminution in value, loss of use, lost inventory, lost profits, and other economic damage)
☒ Non-economic damages (including loss of society and support, loss of consortium, pain and suffering, emotional distress, annoyance and discomfort, and other non-economic damage)
☒ Punitive, exemplary, and statutory damages
☒ Attorney's fees and litigation costs
☒ Interest
☒ Any and all other damages recoverable under California law
☐ Other (Please specify): _____

11. How much is the claim?

- ☐ \$ _____ (optional)
☒ Unknown / To be determined at a later date

Part 3: Sign Below

The person completing this proof of claim must sign and date it, FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- ☐ I am the creditor.
☒ I am the creditor's attorney or authorized agent.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Signature: Brendan M. Kunkle
Brendan M. Kunkle (Feb 21, 2020)

Email: AProulx@abbeylaw.com

Signature

Print the name of the person who is completing and signing this claim:

Name	Brendan	M	Kunkle
	First name	Middle name	Last name
Title	Partner		
Company	Abbey, Weitzenberg, Warren & Emery PC		
	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	100 Stony Point Road, Suite 200		
	Number	Street	
	Santa Rosa	CA	95401
	City	State	ZIP Code
Contact phone	7075425050	Email	BKunkle@abbeylaw.com

Attach Supporting Documentation (limited to a single PDF attachment that is less than 5 megabytes in size and under 100 pages):

☐ I have supporting documentation.
(attach below)

☒ I do not have supporting documentation.

PLEASE REVIEW YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTS AND REDACT ACCORDINGLY PRIOR TO UPLOADING THEM. PROOFS OF CLAIM AND ATTACHMENTS ARE PUBLIC DOCUMENTS THAT WILL BE AVAILABLE FOR ANYONE TO VIEW ONLINE.

IMPORTANT NOTE REGARDING REDACTING YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTATION When you submit a proof of claim and any supporting documentation you must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. The responsibility for redacting personal data identifiers (as defined in Federal Rule of Bankruptcy Procedure 9037) rests solely with the party submitting the documentation and their counsel. Prime Clerk and the Clerk of the Court will not review any document for redaction or compliance with this Rule and you hereby release and agree to hold harmless Prime Clerk and the Clerk of the Court from the disclosure of any personal data identifiers included in your submission. In the event Prime Clerk or the Clerk of the Court discover that personal identifier data or information concerning a minor individual has been included in a pleading, Prime Clerk and the Clerk of the Court are authorized, in their sole discretion, to redact all such information from the text of the filing and make an entry indicating the correction.

EXHIBIT C

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

In re:
PG&E CORPORATION,
- and -
PACIFIC GAS AND ELECTRIC
COMPANY,
Debtors.

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

Proof of Claim (Fire Claim Related)

Read the instructions before filing this claim form. This form is for tort claimants who have a claim against the Debtors (i.e. PG&E Corporation and Pacific Gas and Electric Company) that arose prior to the Debtors filing for bankruptcy (i.e. prior to January 29, 2019) and that arose from, or relates to, a fire.

Do not use this form for non-fire claims. Non-fire tort claimants should use Form 410.

Do NOT file a fraudulent claim. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Please type or print in the spaces below. Do NOT use red ink or pencil.

Part 1: Identify the Claim

1. Who is the current creditor?	S.K. (Dan Kosta, Parent) Name of the current creditor (the person or entity to be paid for this claim)	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Are you filing this claim on behalf of your family? A family is a group of two or more people related by birth, marriage, domestic partnership, or adoption and residing together. All such people are considered as members of one family.	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If you checked "Yes", please provide the full name of each family member that you are filing on behalf of: _____ _____ _____ _____	
4. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? Name <u>S.K. (Dan Kosta, Parent)</u> Attorney Name (if applicable) <u>Kunkle, Brendan</u> Attorney Bar Number (if applicable) <u>173292</u> Street Address <u>100 Stony Point Road, Suite 200</u> City <u>Santa Rosa</u> State <u>California</u> Zip Code <u>95401</u> Phone Number <u>7075425050</u> Email Address <u>BKunkle@abbeylaw.com</u>	Where should payments to the creditor be sent? (if different) Name _____ Attorney Name (if applicable) _____ Attorney Bar Number (if applicable) _____ Street Address _____ City _____ State _____ Zip Code _____ Phone Number _____ Email Address _____
5. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY	
6. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date this Claim Form is Filed

7. What fire is the basis of your claim? Check all that apply.	<input type="checkbox"/> Camp Fire (2018) <input checked="" type="checkbox"/> North Bay Fires (2017) <input type="checkbox"/> Ghost Ship Fire (2016) <input type="checkbox"/> Butte Fire (2015) <input type="checkbox"/> Other (please provide date and brief description of fire: _____)
8. What are the loss location(s) where you and/or your family suffered harm? (e.g. home or business address, place of injury, place from which you were evacuated, if different.)	Location(s): 1077 Quietwater Ridge Road, Santa Rosa 95404
9. How were you and/or your family harmed? Check all that apply	<input checked="" type="checkbox"/> Property Damage (homes, structures, personal property, land, trees, landscaping, and all other property damage) <input type="checkbox"/> Owner <input type="checkbox"/> Renter <input checked="" type="checkbox"/> Occupant <input type="checkbox"/> Other (Please specify): _____ <input checked="" type="checkbox"/> Personal Injury <input type="checkbox"/> Wrongful Death (if checked, please provide the name of the deceased) _____ <input type="checkbox"/> Business Loss/Interruption <input type="checkbox"/> Lost wages and earning capacity <input checked="" type="checkbox"/> Loss of community and essential services <input type="checkbox"/> Agricultural loss <input type="checkbox"/> Other (Please specify): _____
10. What damages are you and/or your family claiming/seeking? Check all that apply	<input checked="" type="checkbox"/> Economic damages (including replacement cost of damaged property, diminution in value, loss of use, lost inventory, lost profits, and other economic damage) <input checked="" type="checkbox"/> Non-economic damages (including loss of society and support, loss of consortium, pain and suffering, emotional distress, annoyance and discomfort, and other non-economic damage) <input checked="" type="checkbox"/> Punitive, exemplary, and statutory damages <input checked="" type="checkbox"/> Attorney's fees and litigation costs <input checked="" type="checkbox"/> Interest <input checked="" type="checkbox"/> Any and all other damages recoverable under California law <input type="checkbox"/> Other (Please specify): _____
11. How much is the claim?	<input type="checkbox"/> \$ _____ (optional) <input checked="" type="checkbox"/> Unknown / To be determined at a later date

Part 3: Sign Below

The person completing this proof of claim must sign and date it, FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

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Check the appropriate box:

- ☐ I am the creditor.
☒ I am the creditor's attorney or authorized agent.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Signature: Brendan M. Kunkle
Brendan M. Kunkle (Feb 20, 2020)

Email: AProulx@abbeylaw.com

Signature

Print the name of the person who is completing and signing this claim:

Name	Brendan	M	Kunkle
	First name	Middle name	Last name
Title	Partner		
Company	Abbey, Weitzenberg, Warren & Emery PC		
	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	100 Stony Point Road, Suite 200		
	Number	Street	
	Santa Rosa	CA	95401
	City	State	ZIP Code
Contact phone	7075425050	Email	BKunkle@abbeylaw.com

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EXHIBIT D

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

In re:
PG&E CORPORATION,
- and -
PACIFIC GAS AND ELECTRIC
COMPANY,
Debtors.

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

Proof of Claim (Fire Claim Related)

Read the instructions before filing this claim form. This form is for tort claimants who have a claim against the Debtors (i.e. PG&E Corporation and Pacific Gas and Electric Company) that arose prior to the Debtors filing for bankruptcy (i.e. prior to January 29, 2019) and that arose from, or relates to, a fire.

Do not use this form for non-fire claims. Non-fire tort claimants should use Form 410.

Do NOT file a fraudulent claim. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Please type or print in the spaces below. Do NOT use red ink or pencil.

Part 1: Identify the Claim

1. Who is the current creditor?	M.K. (Dan Kosta, Parent) Name of the current creditor (the person or entity to be paid for this claim)	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Are you filing this claim on behalf of your family? A family is a group of two or more people related by birth, marriage, domestic partnership, or adoption and residing together. All such people are considered as members of one family.	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If you checked "Yes", please provide the full name of each family member that you are filing on behalf of: _____ _____ _____ _____	
4. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? Name M.K. (Dan Kosta, Parent) Attorney Name (if applicable) Kunkle, Brendan Attorney Bar Number (if applicable) 173292 Street Address 100 Stony Point Road, Suite 200 City Santa Rosa State California Zip Code 95401 Phone Number 7075425050 Email Address BKunkle@abbeylaw.com	Where should payments to the creditor be sent? (if different) Name _____ Attorney Name (if applicable) _____ Attorney Bar Number (if applicable) _____ Street Address _____ City _____ State _____ Zip Code _____ Phone Number _____ Email Address _____
5. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on ____ / ____ / ____	
6. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date this Claim Form is Filed

7. What fire is the basis of your claim? Check all that apply.	<input type="checkbox"/> Camp Fire (2018) <input checked="" type="checkbox"/> North Bay Fires (2017) <input type="checkbox"/> Ghost Ship Fire (2016) <input type="checkbox"/> Butte Fire (2015) <input type="checkbox"/> Other (please provide date and brief description of fire: _____)
8. What are the loss location(s) where you and/or your family suffered harm? (e.g. home or business address, place of injury, place from which you were evacuated, if different.)	Location(s): 1077 Quietwater Ridge Road, Santa Rosa 95404
9. How were you and/or your family harmed? Check all that apply	<input checked="" type="checkbox"/> Property Damage (homes, structures, personal property, land, trees, landscaping, and all other property damage) <input type="checkbox"/> Owner <input type="checkbox"/> Renter <input checked="" type="checkbox"/> Occupant <input type="checkbox"/> Other (Please specify): _____ <input checked="" type="checkbox"/> Personal Injury <input type="checkbox"/> Wrongful Death (if checked, please provide the name of the deceased) _____ <input type="checkbox"/> Business Loss/Interruption <input type="checkbox"/> Lost wages and earning capacity <input checked="" type="checkbox"/> Loss of community and essential services <input type="checkbox"/> Agricultural loss <input type="checkbox"/> Other (Please specify): _____
10. What damages are you and/or your family claiming/seeking? Check all that apply	<input checked="" type="checkbox"/> Economic damages (including replacement cost of damaged property, diminution in value, loss of use, lost inventory, lost profits, and other economic damage) <input checked="" type="checkbox"/> Non-economic damages (including loss of society and support, loss of consortium, pain and suffering, emotional distress, annoyance and discomfort, and other non-economic damage) <input checked="" type="checkbox"/> Punitive, exemplary, and statutory damages <input checked="" type="checkbox"/> Attorney's fees and litigation costs <input checked="" type="checkbox"/> Interest <input checked="" type="checkbox"/> Any and all other damages recoverable under California law <input type="checkbox"/> Other (Please specify): _____
11. How much is the claim?	<input type="checkbox"/> \$ _____ (optional) <input checked="" type="checkbox"/> Unknown / To be determined at a later date

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I declare under penalty of perjury that the foregoing is true and correct.

Signature: Brendan M. Kunkle
Brendan M. Kunkle (Feb 20, 2020)

Email: AProulx@abbeylaw.com

Signature

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Name	Brendan	M	Kunkle
	First name	Middle name	Last name
Title	Partner		
Company	Abbey, Weitzenberg, Warren & Emery PC		
	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	100 Stony Point Road, Suite 200		
	Number	Street	
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/s/ Brendan M. Kunkle
Brendan M. Kunkle